

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

EDWARD J. REIGLER,)	CASE NO. 1: 04 CV 1052
)	
Plaintiffs,)	JUDGE DONALD C. NUGENT
)	
v.)	
)	
FORD MOTOR COMPANY, et al.,)	MEMORANDUM OPINION
)	AND ORDER
Defendants.)	

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U.S. DISTRICT COURT
CLEVELAND, OHIO

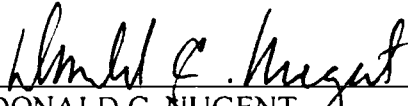
This matter comes before the Court upon Defendant Ford Motor Company's Motion for Summary Judgment On Plaintiff's First Cause of Action for Fraud And/Or Non-Disclosure (ECF #101). and upon Defendant Ford Motor Company's Motion for Summary Judgment on Plaintiff's Claims for Punitive Damages. (ECF #100). The Court has thoroughly considered the entire record before it and, after setting forth the appropriate standard of review, provides its ruling on these motions.

Summary judgment is appropriate when the court is satisfied "that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law." FED. R. CIV. P. 56(c). A fact is "material" only if its resolution will affect the outcome of the lawsuit. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986). Accordingly, proper summary judgment analysis entails "the threshold inquiry of determining whether there is the need for a trial — whether, in other words, there are any genuine factual issues that properly can be resolved only by a finder of fact because they may reasonably be resolved in favor of either party." *Id.* at 250. It is with these standards in mind that the instant Motions must be decided.

Based upon a thorough review of the briefs submitted by the parties, as well as the materials submitted in support thereof, the Court finds that genuine issues of material fact exist

which make summary judgment inappropriate on these issues. Accordingly, the Motions for Summary Judgment filed by Ford Motor Company (ECF # 100 and 101) are DENIED. This case shall proceed to jury trial at 8:30 a.m. on February 5, 2007.

IT IS SO ORDERED.



DONALD C. NUGENT
United States District Judge

DATED: 